

MINUTES
Private Land/Public Wildlife Council
C'Mon Inn – Missoula, Montana
September 3-4, 2003

Members Attending: Darlyne Dascher, Chair; Dan Walker; Don Bothwell; George Bettas; Vito Quatraro; Donna McDonald; Jamie Byrne; Michael Lange; Tom Pugrud; Michael Nathe; Craig Roberts; Kim Hansen; Jack Rich; Paul Roos; **Members Absent:** Jo Ridgeway; Todd Tash;

Others in Attendance for all or part of the meeting: Jeff Hagener, FWP Director; Alan Charles, FWP/Council staff liaison; Glenn Erickson, FWP Field Services Division Administrator; Don Childress, FWP Wildlife Division Administrator; Jean Johnson; Craig Sharpe; Larry Copenhaver; Russ Copeland; George Withey; Charlie Johnson; Bud Holste; Dale Burk; Bob Lucas; Land Tawney; Jack Puckett; A.J. Michnevich; Jay Bodner;

1. Council members shared the following comments, concerns, and perceptions gathered from conversations with their “traplines” since their July meeting:

- Well-managed, controlled access provides the “best hunting”.
- The public should remember that access to private land is a privilege, not a right.
- Trust in FWP personnel is critical to the success of any access program involving the Department.
- Public access is impacted by subdivision and other development of corporate timber lands and U.S. Forest Service and Bureau of Land Management gates on road closures.
- Block Management materials should have consistent quality.
- If non-resident disparity is turned over by the Arizona court case, the Department will have to re-think how Block Management is funded.
- FWP regions don't have enough money, vehicles, or staff to manage hunters. Cooperators continue to pay for technicians but the amount of work is significantly increased. Consequently, cooperators are not getting adequate coverage and the cooperator doesn't feel that policing hunters is his/her job. There also seems to be a discrepancy on who pays for the program.
- Access for locals is seldom a problem in the “frontier” areas of the State.
- Block Management provides an economic boost to small local communities, particularly in some parts of the State.
- Some landowners in northeastern Montana are not feeling positive about the Block Management program due to various reasons.
- Issues come up beyond Block Management such as cost of tags and deadline dates.
- Block Management helps some landowners survive.
- Increasingly, non-residents own large blocks of land. If a non-resident cannot get a hunting license, he/she probably won't allow others access to hunt. Many would be

more likely to participate in the Block Management program if they got the same treatment in terms of compensation and licenses as resident landowners. Non-resident landowners seem to be more tolerant of large numbers of wildlife on their property and the impacts of those animals.

- Resident landowners would like to see a “carrot” used with non-resident landowners before any kind of punitive effort.
- In some ways, Block Management may facilitate the leasing of private property.
- The current funding matrix limits landowners to managing their land for quantity rather than quality because of the payment method. It seems that landowners should be able to work with the Department to develop management plans for a variety of hunter opportunities rather than basing compensation only on numbers of hunter days.
- Compensation is important for non-resident landowners also. They would probably be more willing to participate if they were treated the same as resident landowners.
- “Master” hunters should be rewarded in terms of access and hunters with negative hunting behaviors should be penalized.
- Additional enforcement is necessary.
- The Council should keep people involved throughout their process.
- Land size and shape can affect whether a landowner wants to participate in Block Management.
- Compensation should address species and potential opportunity. For example, there should be more compensation for someone with quality elk habitat.
- Upland bird hunters are seeking quality in their hunting experiences.
- Many like the “sign-in” box and not having to find the landowner and ask permission personally.
- For landowners, ranchers, and outfitters with some part of their land in Block Management, the result is more positive hunter behavior if hunters have to sign in.
- The current model has good checks and balance among outfitters but more public recognition of those paying for Block Management is needed.
- Local landowner relationships influence local individual attitudes about Block Management. If my neighbor is a jerk and he is in Block Management, I don’t want to be.
- Some landowners philosophically don’t believe landowners should get paid for allowing hunters to hunt.
- The flexibility of the program should continue. The Council should look at how flexibility could be increased and assure that the statute doesn’t take the flexibility away.
- Once hunters are educated, sometimes by the landowner, they tend to do well.
- More resources are needed and the program is too dependent on non-resident dollars.
- In the eastern part of the State, “non-resident” is anyone from 50 or more miles away or from western Montana.
- Hunters are not necessarily in support of landowner set-aside licenses or outfitter guaranteed licenses.
- There are many issues regarding hunting and access beyond Block Management.
- People think there are too many animals, too many hunters, too many non-residents, etc. There are perceptions of mismanagement.

- Those landowners not participating in Block Management have little knowledge about the flexibility of the program.
- For some landowners not in the program, the money isn't enough to matter. If they have to pay for technicians, etc., they would rather do it themselves.
- Landowners in the Block Management program in the eastern part of the State are concerned about increasing numbers of hunters from western Montana.
- Some are not concerned, particularly in areas like north-central or northeastern Montana where there is public land and Block Management land.
- There needs to be increased communication about Block Management areas including on the website and with license agents. Maps that cover larger areas, even the whole State, would be helpful.
- Successful Block Management areas should be "showcased" as models of what can work.
- Some areas, like the Ovando area, are inundated with wildlife but the proximity of homes limits opportunities to use guns.

2. Council members identified and discussed the following trends, influences and issues in the operating environment with the potential to affect access and hunting in Montana:

- There is a cultural divide at the Divide in Montana and a sense of urban versus rural, resident versus non-resident, hunting business versus recreation, and "trophy"/quality hunt versus "meat".
- The commercial value of wildlife is increasing and the limited availability of access contributes to it.
- We are seeing changes in the number of hunters and the demographics of hunters. Total numbers are down and in general, hunters are aging. The number of female hunters is up and there are senior and disability issues.
- Block Management "doesn't have a leg to stand on" if wildlife and wildlife habitat are not considered in the equation.
- Each "leg of the stool" had different issues and we need to understand each other.
- As members, we need to be serious about our responsibility to the Council.
- Without solid data to support it, we could presume that there are more acres controlled by non-traditional landowners now than ten years ago.
- The current relationship between landowners and FWP is unclear. Relationships between landowners and the Department tend to be cyclical and are influenced by various factors, including political climates, specific events, and many different social and economic situations.
- Agricultural economics are down and the size of farms and ranches is up. It takes more people today to make an agricultural operation successful.
- Funding is tenuous.
- Among sportsmen and women, there are changing expectations. Access is possible now with Block Management but there is demand for improvement. "What have you done for me today?"

- The Outfitting industry in Montana has and is experiencing significant changes including the following:
 - Most outfitters have to diversify to stay in business and there are very few who are full-time outfitters. Other activities may include agricultural operations, dude ranches, timber, etc.
 - Costs have increased and regulations have changed to address such things as liability insurance; land use planning resulting in limits on use of public land; net client hunting use regulating the number of clients an outfitter can serve; additional regulations from the Board of Outfitters in response to public concerns about the Outfitting industry.
 - Clients have changed – They used to have some knowledge about the land, hunting, and taking care of themselves in the out-of-doors. Increasingly, outfitters are expected to educate clients about survival, ecology, land use, and in some cases, hunting.
 - Demand for upland bird outfitting is increasing.
 - There are fewer hunting outfitters than a few years ago and the moratorium number was never reached.
 - The market is down on the ability to sell set-aside licenses.
 - There are very few young outfitters because they generally cannot afford to buy out established outfitters and the process for getting new net client hunting use allocations is very difficult.
 - Outfitters have a difficult time competing with non-traditional landowners.
- Some trends in, and facts about, landowner outfitting are:
 - They only operate on their own deeded property.
 - No business license is required.
 - There is a pool of deer-only licenses available to landowner outfitters but no other license set-aside.
 - Anyone can hunt on public land where outfitters operate. However, hunting access for the public generally isn't available on private land leased by outfitters or private land where the owner operates as an outfitter.
- Some ranches today are closed because of negative hunter behaviors. These ranchers and may trust outfitters more than the general public.

3. DECISION POINT: After discussion regarding trapline comments and the current operating environment, members of the Council unanimously agreed that the Block Management program, in one form or another, should continue.

4. Council members developed a list of draft guiding principles that they can use to help guide them with their work. This draft list will be reviewed, modified as needed, and finalized at the next meeting.

DRAFT GUIDING PRINCIPLES: As the PLPW Council:

- We believe that private property rights are fundamental to our liberty and must be protected.
- We believe that hunting is an integral part of our heritage and shall be promoted, preserved, and enhanced, and that ongoing efforts to encourage and improve access opportunities for the hunting public are desirable and should be pursued.
- We believe that sound management practices, including hunting as a management tool, promote the conservation of habitat and the public's wildlife.
- We believe that hunters share responsibility to gain and maintain hunting access through ethical behavior and accountability for their actions.
- We believe that improving communication and relationships among landowners, sportsmen and women, and outfitters is critical to our success.
- We believe that ethical behavior among all interested parties will enhance relationships among landowners, sportsmen and women, and outfitters, and could lead to increased access.
- We affirm the economic and social importance of agriculture and hunting to Montana. We also acknowledge changing land ownership patterns and trends in the State and their potential impacts.
- We appreciate, support, and recognize landowners that provide public access and hunting whether through a formal cooperative effort of their own volition.
- We believe that all landowners enrolled in formal cooperative efforts should be treated according to fair standards.

5. Working in small groups, Council members identified various topics related to the Hunting Access Enhancement Program that needed further discussion and evaluation.

A. Enforcement -General Comments from small group work:

- Enforcement is used as a recruiting inducement for landowners to participate but it is difficult to provide due to the shortage of personnel and money.
- What are the options regarding BMA technicians?
- How does the public view Block Management and are landowners and hunters satisfied? How well is Block Management understood?
- What kind of enforcement is necessary regarding access and Block Management?
- What is the role of the landowner regarding enforcement?

B. Funding - General Comments from small group work:

- Program funding needs reviewed and evaluated;
- Are current funding levels adequate to accomplish program goals;
- Are the components of funding sustainable, equitable, and predictable;
- Funding – budget process – stability – What funding sources exist for Block Management?
- What effect has the guaranteed license had on funding for Block Management?

C. Options/Flexibility/“Shared Use” - General Comments from small group work:

- Landowners need opportunities to tailor for “special need” hunter access or special situations on their land.
- Does the current payment structure adequately address quality/quantity issues?
- Sign-in boxes – easy for sportsmen and women and landowners but may need to be more consistent
- How can the flexibility of the program be maintained and expanded:
 - Landowner tailors program to their situation
 - Extended contracts
- What other programs exist (e.g., Access Montana) and how might they be used?
- How can there be shared use between outfitters and the public hunter?
- Can public access occur successfully on leased land?
- How can we recruit hunters?

D. Incentives - General Comments from small group work:

- Incentives are losing their value to landowners because opportunity values have increased – what can we do about it?
- How can more acres be open to hunting?
- Livestock loss reimbursement on private land is a useful incentive.
- Liability – not increased by the Program, is an incentive.
- Is weed control compensation working?
- Economic stimulus in the local area is provided by Block Management.
- Non-resident landowner incentives - Can Block Management be made more attractive to the non-traditional landowner?
- How can landowners manage wildlife and still receive maximum compensation for their stewardship and management, not just for hunter day use?
- What effect has the guaranteed license had on outfitter leasing?

6. Four Council Ad Hoc Committees were created to focus on the topics of interest identified during previous session:

- A. Enforcement Committee: Don (Chair), Donna, Ken, Mike N;
- B. Funding Committee:- Michael L. (Chair), George, Jamie, Vito;
- C. Options/Flexibility/“Shared Use” Committee: Paul(Chair), Tom, Dan;
- D. Incentives Committee: Jack (Chair), Craig, Darlyne, Todd;

7. PUBLIC COMMENT: Council members heard comments offered by the following individuals: Land Tawney, representing Theodore Roosevelt Conservation

Partnership; Dale Burk, representing Ravalli County Fish & Wildlife Association; Bob Lucas, representing Big Sky Upland Bird Association; Larry Copenhaver, representing Montana Wildlife Federation; Jay Bodner, representing Montana Stock Growers Association; Ben Deeble, representing Big Sky Upland Bird Association; Russ Copeland, representing Montana Outfitters & Guides Association; Harold Holste; Jean Johnson;

8. Council members identified data needs, homework assignments, and confirmed next meeting time and place.

Data Needs

- Important questions from the Council:
 - How much private land do outfitter leasing or other leasing parties currently tie up? What is the trend? Who is leasing?
 - How can we use the information we have from the Board of Outfitters, MOGA, Stockgrowers, etc.,(i.e., acres of leased lands; amount of land currently in Block Management and where it is located; amount of land changing hands where the blocks are larger than 100 acres)?
 - What anecdotal information do we have from Council members?
 - What information might we get from FWP (e.g., game wardens, etc.)?
 - What is the relationship between the guaranteed license and leasing?

Homework

- Have conversation with your “traplines” about the draft guiding principles and the topic your subcommittee is working on.
- Think about the guiding principles and be prepared for discussion to finalize them.
- Work with your subcommittee chair and Alan to complete the following:
 - Develop an “issue” paper describing the current situation and problem areas regarding your topic.
 - Identify the guiding principles that are important to your topic area and recommend additional ones where appropriate.
 - Identify the most important questions/problems that need resolution.
 - Brainstorm alternative ideas and be prepared to present to the Council in December.

Next Meeting

- December 15 and 16 in Billings

9. COUNCIL ADJOURNED

